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November 30, 2001

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**VIA ELECTRONIC FILING**

Magalie Roman Salas, Secretary  
Federal Communications Commission  
445 – 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

**Attention: Patrick Forster, Senior Engineer (3-A104)**  
**Policy Division**  
**Wireless Telecommunications Bureau**

**Re: Notification of Status of Facilities**  
**CC Docket No. 94-102**  
**Broadband PCS Station KNLH426**  
**TRS Number: Not Yet Assigned – Network not constructed or providing**  
**service to the public**

Dear Ms. Salas:

On behalf of Radiofone PCS, LLC, and pursuant to the Commission's Public Notice, Mimeo No. DA 01-2459 (released October 19, 2001), we hereby submit this supplement to its November 9, 2000 status report on its implementation of Wireless E911 Phase II Automatic Location Identification service.

Please direct any questions or correspondence regarding this filing to our office.

Sincerely,

  
John A. Prendergast  
Kathleen A. Kaercher

Attachment

**RADIOFONE PCS, LLC**  
**111 Veterans Memorial Boulevard**  
**Metairie, Louisiana 70005**

Magalie Roman Salas, Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

**Attention: Patrick Forster, Senior Engineer (3-A104)**  
**Policy Division**  
**Wireless Telecommunications Bureau**

**Re: Implementation Plans of Wireless E911 Phase II**  
**Automatic Location Identification**  
**Public Notice Pertaining to CC Docket No. 94-102**  
**TRS Number: Not Yet Assigned – Network not constructed or providing**  
**service to the public**

Dear Ms. Salas:

In accordance with the Public Notice, Mimeo No. DA 01-2459 (released October 19, 2001) pursuant to the informal request of Commission staff, we hereby supplement our November 9, 2000 status report to inform the Commission that Radiofone, LLC (Radiofone) licensee of Broadband Personal Communications Service Station KNLH426 has not yet constructed its system and as a result is not presently required to offer Enhanced 911 services.

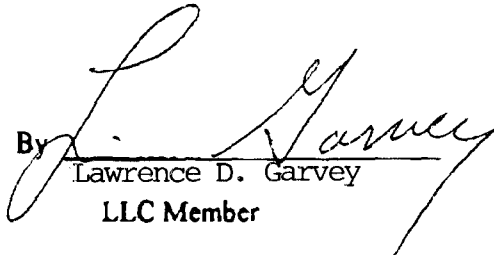
The five-year construction deadline for station KNLH426 is April 28, 2002. Currently the station is not constructed and does not “offer real-time, two way switched voice service that is interconnected with the public switched network and utilize an in-network switching facility which enables the provider to reuse frequencies and accomplish seamless hand-offs of subscriber calls,” and thus, the Commission’s Enhanced 911 rules do not currently apply to Radiofone. 47 C.F.R. § 20.18(a). Out of an abundance of caution, Radiofone requests that its license be included in any blanket waiver or E911 implementation extension that the Commission might grant small and mid-sized CMRS carriers.

As a small market carrier, Radiofone does not have the buying power of national carriers, or the clout to influence equipment design and development. Radiofone anticipates that it will have to wait until the requirements of the larger carriers are satisfied before it will be able to obtain Phase II compliant equipment. In addition, Radiofone has not received any request for Phase II service from the local Public Safety Answering Points, and does not anticipate receiving

any such request in the near future. Thus, the public interest will not be harmed by including Radiofone under the umbrella of a waiver or extension granted to similarly situated small or rural carriers. The Commission recognized, in the case of E911, that there could be instances where technology-related issues or exceptional circumstances may mean that deployment of Phase II is delayed since it requires the cooperative efforts of carriers, equipment manufacturers and suppliers and government officials responsible for public safety activities.<sup>1</sup> The Commission has acknowledged, in the cases of the largest carriers, that exactly that has happened and has granted requested extensions of time to comply with implementation rules for those carriers,<sup>2</sup> and should now take the opportunity to do so for the small and rural carriers. In the event that the Commission decides to extend E911 Phase II requirements for small and rural carriers, Radiofone respectfully requests to be included.

Any questions concerning this filing should be directed to John A. Prendergast at Blooston, Mordkofsky, Dickens, Duffy and Prendergast, at 202/659-0830.

Respectfully submitted,  
**RADIOFONE PCS, LLC**

By   
Lawrence D. Garvey  
LLC Member

November 30, 2001

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<sup>1</sup> 15 FCC Rcd 1744, at ¶¶ 42-45.

<sup>2</sup> *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Request for Waiver by Cingular Wireless LLC*, CC Docket 94-102, Order, FCC 01-296 (rel. October 12, 2001); *by Nextel Communications, Inc.*, FCC 01-295; *by Sprint Spectrum LP d/b/a Sprint PCS*, FCC 01-297; *by Celco Partnership d/b/a Verizon Wireless*, FCC 01-299; *by AT&T Wireless Services, Inc.*, FCC 01-294.